

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA, ex rel.)
BRENT M. NELSON,)
)
Plaintiff,)
)
vs.) No. 12-CV-775 (JPS)
)
CAREER EDUCATION CORPORATION;)
SANFORD-BROWN, LIMITED; and)
ULTRASOUND TECHNICAL SERVICES,)
INC.,)
)
Defendants.)

DECLARATION OF GARY E. McCULLOUGH

1. My name is Gary E. McCullough.
2. I served as President and CEO of Career Education Corporation (“CEC”) from 2007 to 2011. I have personal knowledge as to the facts and matters set forth in this declaration.
3. CEC is a publically-traded company that owns, directly and indirectly, operating companies that operate for-profit institutions of higher education.
4. On December 10, 2007, I signed a Program Participation Agreement (the “2007 PPA”) on behalf of Sanford-Brown Institute (“SBI”), Jacksonville, Florida, (“SBI-Jacksonville”) with the U.S. Department of Education (“ED”). A true and accurate copy of the 2007 PPA is attached hereto as Attachment A.
5. The main campus covered by the 2007 PPA was SBI-Jacksonville, operating under the OPEID¹ Number 02616400. ED permits a main campus to add additional campuses under the same PPA and OPEID Number. Accordingly, in addition to SBI-Jacksonville, the

¹ Office of Post-Secondary Education Identification Number.

2007 PPA also covered SBI campuses in Tampa, Florida and Iselin, New Jersey.

6. On May 15, 2008, with ED's approval, the Sanford-Brown College ("SBC") campus in West Allis, Wisconsin was added as an additional campus operating under the 2007 PPA. A true and accurate copy of a portion of the May 28, 2008 Eligibility and Certification Approval Report ("ECAR") showing the addition of the West Allis, Wisconsin campus to the 2007 PPA is attached hereto as Attachment B.

7. At the time I signed the 2007 PPA, it was my intent that the campuses covered by the 2007 PPA would operate in compliance with the conditions specified in the 2007 PPA, including compliance with the various statutes and regulations for institutional eligibility to participate in Title IV.

8. At the time I signed the 2007 PPA, it was my belief that all certifications and statements of fact contained in the PPA were true and accurate.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

January 2, 2014

Executed On



Gary E. McCullough